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MAY 16 2007

APPLICANT(S): WOO, Yi-Ping, Joseph EXAMINER: Not yet known
SERIAL NO.: 10/577,256 GROUP ART UNIT: Not yet known
FILED: April 26, 2006 ATTORNEY DOCKET No.: P-7281-US
FOR: CYTOPROTECTIVE EFFECTS OF ETHYL PYRUVATE

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
PETITION FOR A THREE-MONTH EXTENSION OF TIME

Sir:

In response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b), mailed November 16, 2006 (a copy of which is enclosed), Applicant(s) submit herewith the following:

1. ☒ an executed Declaration and Power of Attorney making reference to the above-identified application, and in compliance with 37 C.F.R. 1.63;
2. ☐ Applicant(s) Claim Small Entity Status; and
3. ☐ a Preliminary Amendment.

A response was due February 16, 2007. Applicant(s) hereby petition for a THREE-month extension of time. Therefore, a response is now due on May 16, 2007. Accordingly, this Response and Petition are being timely filed.

The Patent Office is hereby authorized to charge Deposit Account 50-3355 in the amount of \$2,125.00, covering the following:

05/18/2007 MKAYPAGH 00000121 503355 10577256

05 FC:2253 510.00 DA

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APPLICANTS: WOO, Yi-Ping, Joseph
SERIAL NO.: 10/577,256
FILED: April 26, 2006
Page 2

FEE CALCULATION					
1. BASIC FILING FEE					
	Filing Date BEFORE December 8, 2004		Filing Date ON/AFTER December 8, 2004		
	Large Entity Fee	Small Entity Fee	Large Entity Fee	Small Entity Fee	
Utility	\$790	\$395	\$1000	\$500	\$100
Provisional	\$160	\$80	\$200	\$100	0
Application Size Fee (over 100 pages, per 50)			\$250	\$125	0
2. EXTRA CLAIM FEES					
Total Claims	50	-20 =	30	x \$25	= 750
Independent Claims	10	-3 =	7	x \$100	= 700
Multiple Dependent				x \$360	=
	Large Entity Fee	Small Entity Fee	Fee Description		
	\$50	\$25	Claims in excess of 20		
	\$200	\$100	Independent claims in excess of 3		
	\$380	\$180	Multiple dependent claim, if not paid		
3. Fee for Petition for Extension of Time					
	Large Entity Fee	Small Entity Fee			
	\$120	\$60	Extension for reply within first Month		
	\$450	\$225	Extension for reply within second Month		
	\$1,020	\$510	Extension for reply within third Month		
	\$1,590	\$795	Extension for reply within fourth Month		
4. Surcharge Fee Under 37 CFR 1.16(f) or 1.492(h)					
	Large Entity Fee	Small Entity Fee			
Utility	\$130	\$65	\$65		
5. Surcharge Fee Under 37 CFR 1.16(i)					
	Large Entity Fee	Small Entity Fee			
Provisional	\$50	\$25	0		
TOTAL (all columns)					2125.00

If any additional fee is required, the undersigned hereby authorizes the Patent Office to charge such additional fee to Deposit Account 50-3855.

05/18/2007 MKAYPAGH 00000121 503355 10577256

01 FC:2633 100.00 DA
02 FC:2617 65.00 DA
03 FC:2615 750.00 DA
04 FC:2614 700.00 DA

Dated: May 16, 2007

Pearl Cohen Zedek Latzer LLP.
1500 Broadway, 12th Floor
New York, New York 10036
Tel: (646) 878-0800
Fax: (646) 878-0801

Respectfully submitted,

Mark S. Cohen
Attorney/Agent for Applicant(s)
Registration No. 42,425

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Page 1 of 2

MAY 16 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/577,256	FIRST NAMED APPLICANT Yi-Ping Joseph Woo	ATTY. DOCKET NO. P-7281-US
INTERNATIONAL APPLICATION NO. PCT/US04/35445		
I.A. FILING DATE 10/27/2004	PRIORITY DATE 10/27/2003	

49443
PEARL COHEN ZEDEK, LLP
PEARL COHEN ZEDEK LATZER, LLP
1500 BROADWAY 12TH FLOOR
NEW YORK, NY 10036

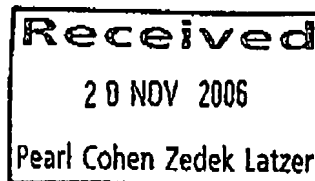
CONFIRMATION NO. 4808
371 FORMALITIES LETTER
TO CHECK FOR MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
"OC000000021240508"

Date Mailed: 11/16/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/26/2006
- Copy of the International Search Report filed on 04/26/2006
- Preliminary Amendments filed on 04/26/2006
- Small Entity Statement filed on 04/26/2006
- Request for Immediate Examination filed on 04/26/2006
- U.S. Basic National Fees filed on 04/26/2006
- Priority Documents filed on 04/26/2006



The applicant needs to satisfy supplemental fees problems indicated below

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1450 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

IAP12 Rec'd PCT/PTO 16 MAY 2007

COVER PAGE LISTING DOCUMENTS BEING TRANSMITTED VIA FACSIMILE

7 Pages Via Facsimile: 571-273-8300
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (fax no. 571-273-8300) on May 16, 2007.


 Leah Herszberg

Regarding the following Application:

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MAY 16 2007

APPLICANT(S): WOO, Yi-Ping, Joseph EXAMINER:

SERIAL NO.: 10/577,256 GROUP ART UNIT:

FILED: April 26, 2006 ATTORNEY DOCKET No.: P-7281-US

FOR: CYTOPROTECTIVE EFFECTS OF ETHYL PYRUVATE

Please find:

- | | |
|---|---|
| 1. <input type="checkbox"/> Provisional Cover Sheet | 9. <input checked="" type="checkbox"/> Response to Notice to File Missing Parts |
| 2. <input type="checkbox"/> Utility Patent Application Transmittal | 10. <input type="checkbox"/> Response to Notice of Incomplete Reply |
| 3. <input type="checkbox"/> RCE Transmittal Sheet | 11. <input type="checkbox"/> Request for Correction of Filing Receipt |
| 4. <input type="checkbox"/> Fee Transmittal Sheet | 12. <input type="checkbox"/> Information Disclosure Statement including:
- Form PTO/SB/08 and references _____ |
| 5. <input type="checkbox"/> Patent Application Under 35 USC 111(a) | 13. <input type="checkbox"/> Preliminary Amendment |
| <input type="checkbox"/> Provisional Patent Application Under 35 USC 111(b) | 14. <input type="checkbox"/> Response to Office Action
dated _____ |
| <input type="checkbox"/> Transmittal Sheet for Entering National Phase
Containing:
____ Pages of Specification
____ Pages of Claims
____ Page of Abstract
____ Pages of Formal Drawings
____ Pages of _____ | 15. <input type="checkbox"/> Petition for a One Month(s) Extension of Time |
| 6. <input checked="" type="checkbox"/> Signed Declaration & Power of Attorney | 16. <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Appeal Brief _____ |
| 7. <input type="checkbox"/> Request for Correction of Recordation of Assign. and:
- Recordation Cover Sheet
- Copy of Notice of Recordation of Assign. | 17. <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Publication Fee |
| 8. <input type="checkbox"/> Recordation of Assign. Cover Sheet & Signed Assign. | 18. <input type="checkbox"/> Submission of Formal Drawings: Two sets of
____ Sheets containing Figs. _____ |
| | 19. <input type="checkbox"/> Copy of Priority Doc. |
| | 20. <input type="checkbox"/> Claim for Convention Priority |
| | 21. <input type="checkbox"/> Revocation and Power of Attorney, including:
- Statement Under 37 CFR 3.73(b)
- Copy of Assignment |
| | 22. <input type="checkbox"/> Other: |

Total additional fees required for this application is \$1615 for a Small Entity:

- \$65 Surcharge.

- The application examination fee has not been paid. Applicant must submit \$100 to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2006.

- Total additional claim fee(s) for this application is \$ 1450

- \$700 for 7 independent claims over 3.
- \$750 for 30 total claims over 20

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,256	PCT/US04/35445	P-7281-US

FORM PCT/DO/EQ/905 (371 Formalities Notice)